

ORDINANCE NO.

#64
6-8-06

1 **AN ORDINANCE GRANTING WAIVERS FOR PROPERTY LOCATED AT 4705**
2 **CASWELL DRIVE FROM CERTAIN DEVELOPMENT REGULATIONS**
3 **PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR CONSTRUCTION OF A**
4 **DUPLEX RESIDENCE.**

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6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

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8 **PART 1.** This ordinance applies to the construction of a duplex residence located at
9 4705 Caswell Drive. The two story structure will have a floor area of 3,800 square feet.

10 **PART 2.** Applicant has filed an application requesting that Council waive Part 4(A) of
11 Ordinance No. 20060309-058 which states that an application for a demolition or
12 relocation permit for a structure must be filed concurrently with an application for a
13 permit described in Subsection (C) or (D) of Ordinance No. 20060309-058.

14 **PART 3.** Applicant has filed a waiver application requesting that Council waive Part
15 4(C) of Ordinance No. 20060309-058 which limits a building permit to increase the size
16 of a new structure on a lot where, before May 9, 2006, a structure has been or will be
17 demolished or relocated, to the greater of the following:

- 18 (1) 0.4 to 1 floor-to-area ratio;
19 (2) 2,500 square feet; or
20 (3) 20 percent more square feet than the existing or pre-existing structure.

21 **PART 4.** Council has considered the factors for granting waivers from development
22 regulations prescribed by Ordinance No. 20060309-058. Council finds that such waivers
23 are justified because:

- 24 (A) the development limitation imposes undue hardship on the applicant; and
25 (B) the development proposed by the applicant will not adversely affect the
26 public health, safety, and welfare.

27 **PART 5.** Waivers are granted from Part 4(A) and Part 4(C) of Ordinance 20060309-058
28 to allow Applicant to fail to file a demolition permit concurrently with a building permit
29 and to allow the construction of a duplex residence located at 4705 Caswell Drive, for a
30 total structure size not to exceed 3,800 square feet.

